



# *Small Business Regulatory Review Board Quarterly Newsletter*

**No. 3**

*Department of Business, Economic Development and Tourism*

**October 2003**

## *Small Business "Bill of Rights"*

The Board held its annual Strategic Planning Session on August 28, 2003. Of top priority and major concern to the Board, is the following legislative proposal for 2004:

**Small Business "Bill of Rights"** – The Board is in the process of creating a "Bill of Rights" to present at the upcoming legislative session. The purpose of the "Bill of Rights" is to level the playing field and give Hawaii small businesses basic rights of due process. The following "rights" will be further analyzed and expanded upon: 1. Right to a timely response for permits, licenses; 2. Right to correct violations in order to avoid penalties; 3. Right to an impartial hearing; 4. Right to representation; 5. Right to purchase private insurance regardless of premiums; 6. Right to privacy of proprietary information when bidding on State contracts.

## *Board Members*

As a means of efficient and effective administrative rule review, board members are assigned as a "Discussion Leader" for specific State agencies. The following are each board member's assigned agencies. For more information, please visit our website at [www.hawaii.gov/dbedt/sbrb/](http://www.hawaii.gov/dbedt/sbrb/):

**Lynne Woods, Chair**

Office of the Governor; Department of Labor & Industrial Relations; Department of Business, Economic Development and Tourism; Department of Commerce and Consumer Affairs-Professional and Vocational Licensing Division

**David Rietow, Vice Chair**

Office of the Lieutenant Governor; Department of Agriculture; Department of Transportation

**Denise Walker**

Department of Health - Environmental Health Administrator; Department of Transportation; Department of Budget & Finance; Public Utilities Commission

**Al M. Inoue**

Department of Land and Natural Resources- Land Division; Island Burial Councils; Department of Commerce and Consumer Affairs

**Robert Speers, Ph.D.**

Department of Health (Non-Environmental); Department of Human Services; Department of Human Resources Dev.; Department of Education; Department of Commerce and Consumer Affairs

**Phyllis N.T. Shea**

Department of Taxation; Department of Human Services

**Dorvin Leis**

Department of Accounting & General Services (Procurement); University of Hawaii

**Brian K. Zinn**

Department of Land and Natural Resources, Division of Boating and Ocean Recreation

## *June 30<sup>th</sup> Deadline Met*

In complying with the Regulatory Flexibility Act, Section 201M-7, State agencies met the June 30<sup>th</sup> deadline, which provided to the Review Board a list of administrative rules that affect small business. On July 2, 2003, *The Honolulu Advertiser* reported "for the first time since the Small Business Regulator Review Board was created in 1998, most state agencies met the deadline to provide a list of new regulations that may affect small businesses." Kudos go out to all those agencies that met this deadline. This has helped the Review Board realign itself more efficiently with its goals for the current fiscal year.

## *Administrative Rule Review from July to September 2003*

- 1) "Hawaii State Art Museum" – Chapter 3-111, Department of Accounting and General Services – The rules allowing for catered events were supported by the Board which found the rules to be rational, generated revenue for private groups, created business for the small companies and did not present a negative impact.
- 2) "Practice and Procedure of the Business Registration Division" – Chapter 16-36, Department of Commerce and Consumer Affairs – The administrative rules were supported by the Board; any impact was positive and made easier for small business. DCCA is responsive and a part of government that keeps its customers in mind.
- 3) "Lead-Based Paint Activities" – Chapter 11-41, Department of Health – The Board supported the proposed rule amendments contingent upon the rules not going beyond federal requirements. The Board also commended the agency for the accuracy and conciseness of its small business impact statement. Great job Department of Health!